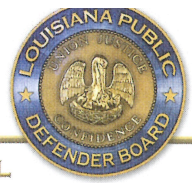


# LOUISIANA PUBLIC DEFENDER BOARD



Bobby Jindal  
Governor

Frank X. Neuner, Jr.  
Chairman

Jean M. Faria  
State Public Defender

EQUAL JUSTICE FOR ALL

**Immediate Release  
November 18, 2011**

**Contact Frank X. Neuner, Jr  
(337) 654-4424 / FNeuner@LN-Law.com**

**BATON ROUGE** – The recent New Orleans Inspector General report, *“Assessment of New Orleans City Courts & Performance Review of New Orleans Traffic Court,”* offers substantive findings and recommendations to improve the criminal justice system in New Orleans. The report is released at the same time that the Orleans Public Defenders prepare for personnel layoffs and a restriction of services due to budget shortfalls.

The Orleans Public Defenders’ financial crisis is in large measure the result of Traffic and Municipal Courts’ failure to assess, collect and remit the \$35 public defender fee, as required by law. Despite outreach, research, collaboration with New Orleans legal, political and economic leaders, unfulfilled promises from some courts and litigation with others, these fees have not been remitted. The report’s finding on this specific point lends credence to LPDB’s position that the scarcity of local revenue for the Orleans Public Defenders can be attributed in large measure to a lack of cooperation from the Courts in meeting their statutory responsibilities.

In the report, Judge Sens makes his case for the Municipal Court’s use of fines and fees to fund operations of the Court, and yet, Municipal Court has consistently resisted efforts to ensure those revenues to which the public defender is entitled for operations that are collected and remitted by his court. He argues for the Court’s independence “as a separate branch of government which must constitutionally operate daily to afford citizens their constitutionally protected rights.” Among those rights is access to an attorney for those who cannot afford one; yet, he has impeded all attempts to ensure that funds intended for that purpose are collected and applied.

While working to attain these fees, LPDB and the Orleans Public Defenders have regularly communicated with and requested funds from the Mayor and City Council. The current budget presentation is in progress; we are hopeful that needed funds will be dedicated. No court in New Orleans will be able to operate daily and ensure the rights of citizens without an adequately funded public defense system.

Over the past year, special funds have been dedicated by LPDB to maintain the Orleans Public Defenders current level of operations. However, especially in light of the findings in the Inspector General report, state tax dollars managed by LPDB cannot be used to overcome revenue insufficiencies that are caused by the local jurisdiction's failure to appropriately assess, collect and remit fees as required by law, or by a failure from local leadership to remedy practices that perpetuate the inefficiency of the system at the taxpayers’ expense.

Transparency and accountability is required of all our criminal justice leaders. The Orleans Public Defenders depend on local courts to remit the fines and fees that are required by law in order to provide its services. Every dollar counts, and the public defender must be adequately funded in order to deliver a high-quality, cost-effective criminal justice system for New Orleans.

The Inspector General report on City and Traffic Court is available online at: [www.nolaoig.org](http://www.nolaoig.org)